

STATEMENT OF BASIS

as required by LAC 33:IX.2411, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0033286** to discharge to waters of the **State of Louisiana** as per LAC 33:IX.2311.

The **permitting authority** for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. THE APPLICANT IS:** Town of Lockport
Lockport Sewer Plant
710 Church Street
Lockport, LA 70374
- II. PREPARED BY:** Darlene Bernard
- DATE PREPARED:** June 10, 2008
- III. PERMIT ACTION:** Reissue LPDES permit LA0033286, A119435
LPDES application received: July 17, 2007
- LPDES permit effective: March 1, 2003
LPDES permit expired: February 29, 2008
EPA has not retained enforcement authority

IV. FACILITY INFORMATION:

- A. The application is for the discharge of treated sanitary wastewater from an existing publicly owned treatment works serving the Town of Lockport.
- B. The permit application does not indicate the receipt of industrial wastewater.
- C. The facility is located at 312 Second Street, in Lockport, Lafourche Parish.
- D. The treatment facility consists of bar screen and grit chamber, return activated sludge, aeration basin and internal clarifier. Disinfection is by ultraviolet.

Statement of Basis
Town of Lockport/Lockport Sewer Plant
LA0033286
Page 2

E. Outfall 001

Discharge Location: Latitude 29°38'27" North
Longitude 90°32'48" West

Description: treated sanitary wastewater

Design Capacity: 0.90 MGD

Type of Flow Measurement which the facility is currently using:

Continuous Recorder

V. RECEIVING WATERS:

The discharge is into Forty Arpent Canal, thence into Tom Foret Canal, thence into Company Canal in segment 120303 of the Terrebonne Basin. Segment 120303 of the Terrebonne Basin is listed as impaired for Nutrients (Nitrite + Nitrate as N), Organic enrichment/low DO, and Phosphorus. The TMDL for segment 120303 was finalized on April 15, 2008. TMDL establishes load limitations for oxygen-demanding substances and goals for reduction of those pollutants. LDEQ's position, as supported by the declaratory ruling issued by Secretary Givens in response to the lawsuit regarding water quality criteris afor nutrients (Sierra Club v. Givens, 710 So.2d 249 (La. App. 1st Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. The TMDL states that the Town of Lockport, an existing point source, "has little to no impact on the main stem of Bayou L'Eau Bleu and requires no changes to their permitted discharge". Limits were set according to this TMDL. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by additional water quality studies and/or TMDLs.

Nutrients (Nitrate+Nitrite as N), Organic enrichment/low DO and Phosphorus

To protect against the potential for oxygen consuming pollutants that could cause instream DO problems and for the discharges of organic materials, and nutrients at levels exceeding state water quality standards, BOD₅ limitations have been placed in the permit. Also, "Report" for NH₃-N shall be placed in the permit for monitoring and data information gathering purposes.

Statement of Basis
 Town of Lockport/Lockport Sewer Plant
 LA0033286
 Page 3

The designated uses and degree of support for Segment 120303 of the Terrebonne Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment 120303	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial	Full	Full	Not Supporting	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 120303 of the Terrebonne Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Volume 5, Part B, Water Quality Inventory respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 120303 of the Terrebonne Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish & Wildlife Service (FWS). This strategy was submitted with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first

Statement of Basis
 Town of Lockport/Lockport Sewer Plant
 LA0033286
 Page 4

page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

The public notice is published in a local paper of general circulation and the Office of Environmental Services Public Notice Mailing List.

For additional information contact:

Darlene Bernard
 Permits Division
 Department of Environmental Quality
 Office of Environmental Services
 PO Box 4313
 Baton Rouge, LA 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

Final effluent limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	75	10 mg/l	15 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSEL.P) for facilities of this treatment type and size.
TSS	113	15 mg/l	23 mg/l	Since there are no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

Statement of Basis
 Town of Lockport/Lockport Sewer Plant
 LA0033286
 Page 5

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.a, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgment in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No LA0033286:	Issued:	February 24, 2003
	Effective:	March 1, 2003
	Expired:	February 29, 2008

During the period beginning the effective date of the permit and lasting through the expiration date of the permit (Design 0.90 MGD)

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	Continuous	Recorder
BOD ₅	10 mg/l	15 mg/l	1/week	3-Hour Composite
TSS	15 mg/l	23 mg/l	1/week	3-Hour Composite
Ammonia-Nitrogen	Report	Report	1/quarter	3-Hour Composite
Fecal Coliform	200	400	1/week	Grab
pH	6-9 Standard Units		1/week	Grab

Statement of Basis
 Town of Lockport/Lockport Sewer Plant
 LA0033286
 Page 6

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of EDMS indicates the following inspections were performed for this facility:

Date – February 3, 2006

Findings and/or Violations:

A Hurricane Impact Damage Audit revealed no immediate mechanical problems. The service area was not flooded by Hurricane.

Date – August 29, 2005

Findings and/or violations:

An incident report revealed a release of about 500,000 gallons of a mixture of rain and sewage during a power outage due to Hurricane Katrina. The power was out for about 3 days. The release was self reported.

B) Compliance and/or Administrative Orders

A review of EDMS revealed that there are no recent enforcement actions administered against this facility.

C) DMR Review

A review of the discharge monitoring reports for the period beginning January 1, 2005 through January 31, 2008 revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
BOD ₅ - (concentration)	0
BOD ₅ - (mass)	0
TSS - (concentration)	0
TSS - (mass)	0
Fecal Coliform	0
pH	0

NOTE: There were no DMR's in EDMS for November 2005, and October 2007.

XII. ADDITIONAL INFORMATION:

Final effluent loadings (i.e. lbs/day) have been established based upon the permit limit concentrations and the design capacity of 0.90 MGD.

Statement of Basis
 Town of Lockport/Lockport Sewer Plant
 LA0033286
 Page 7

Effluent loadings are calculated using the following example:

$$\text{BOD: } 8.34 \text{ gal/lb} \times 0.90 \text{ MGD} \times 10 \text{ mg/l} = 75 \text{ lb/day}$$

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between 0.5 and 1.0 MGD.

Note: The measurement frequency was changed from 1/week to 2/month based upon no excursions for the past three years and the EPA Guidance for Performance Based Reductions of Monitoring Frequencies.

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Continuous	Recorder
BOD ₅	2/mo.	3-hr. composite
Total Suspended Solids	2/mo.	3-hr. composite
Fecal Coliform Bacteria	2/mo.	Grab
pH	2/mo.	Grab

Pollution Prevention Requirements

The permittee shall institute or continue programs directed towards pollution prevention. The permittee shall institute or continue programs to improve the operating efficiency and extend the useful life of the facility. The permittee will complete an annual Environmental Audit Report **each year** for the life of this permit according to the schedule below. The permittee will accomplish this requirement by completing an Environmental Audit Form which has been attached to the permit. Please make additional copies to be utilized for each year of this permit. All other requirements of the Municipal Wastewater Pollution Prevention Program are contained in Part II of the permit.

The audit evaluation period is as follows:

Audit Period Begins	Audit Period Ends	Audit Report Completion Date
Effective Date of Permit	12 Months from Audit Period Beginning Date	3 Months from Audit Period Ending Date

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

Statement of Basis
Town of Lockport/Lockport Sewer Plant
LA0033286
Page 8

XIV. REFERENCES:

Louisiana Water Quality Management Plan, Vol. 10, "Wasteload Allocations and Discharger Inventory", Louisiana Department of Environmental Quality, 1992.

Louisiana Water Quality Management Plan, Vol. 5-B, "Water Quality Inventory", Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards", Louisiana Department of Environmental Quality, 1999.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 23 - "The LPDES Program", Louisiana Department of Environmental Quality, 1999.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Town of Lockport, Lockport Sewer Plant, July 17, 2007.